

FIFTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 16, 1876. }

Senate met pursuant to adjournment. President *pro tem.* in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator Francis presented the petition of certain citizens (professional men) of Elkhart, Anderson county, "protesting against occupation taxes, and asking the repeal of all laws requiring the levying of such," giving many reasons therefor.

Referred to the Committee on Finance.

Senator Douglass presented the petition of many citizens of Smith county, "asking the passage of a resolution empowering the Governor to offer a reward of \$5,000 for the apprehension of one Jesse Packwood, who killed one John C. Goodgame, on the night of June 8, last, in the town of Athens in Henderson county, and who has gone to parts unknown," stating the circumstances of the murder, etc.

Referred to the Committee on State Affairs.

Senator Stephens, Chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully read and examined Senate Bill No. 103, "An Act to better define the powers and duties of Sheriffs and other officers," and find the same correctly engrossed.

STEPHENS, Chairman.

Senator Hobby, Chairman of the Judiciary Committee No. 1, submitted the following reports:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 17, entitled, "An Act to regulate the mode of proceeding and practice in civil causes in the District Courts of the State," have had the same under consideration, and instruct me to report the bill back to the Senate and recommend that it do not pass.

HOBBY, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 48, "An Act to amend an act, entitled, 'An Act to amend Articles 757 and 766, of an act to adopt and establish a penal code for the State of Texas,'" approved November 12th, 1866, have had the same under consideration, and instruct me to report the bill back to the Senate and recommend its passage, with the following amendments: In line 7, after the word, "year," insert the words, "during which time the prisoner may be put to hard work." In line 8, strike out, "one hundred," and insert, "five hundred."

HOBBY, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 71, entitled, "An Act for the relief of persons against whom have been adjudged fines, penalties and forfeitures, or who have paid money into the Treasury under the forms of the law, but improperly," have

had the same under consideration, and instruct me to report the bill back to the Senate and recommend that it do not pass.

HOBBS, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 243, entitled, "An Act to amend Article 382 of the criminal code," have had the same under consideration, and instruct me to report the bill back to the Senate, and recommend that it do not pass, as it has already been provided for in a similar bill.

HOBBS, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 96, entitled, "An Act to amend the penal code of the State of Texas," approved Aug. 26, 1856, have had the same under consideration, and, instruct me to submit the following amendment and recommend the passage of the bill, as amended:

In line 6, after the word, "mule," insert the word, "ass."

HOBBS, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

A majority of your Judiciary Committee No. 1, to whom was referred Senate Bill No. 237, entitled, "An Act supplemental to an act to amend Article 389 of an act entitled, 'An Act to establish a code of criminal procedure for the State of Texas,'" have had the same under consideration, and instruct me to submit the following amendment and recommend that the bill do not pass:

Strike out the word, "raise," where it occurs in line 13, and insert the word, "enter."

HOBBS, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 85, entitled, "An Act to amend Section 138 of an act entitled, 'An Act to regulate proceedings in the District Courts,'" approved May 13, 1846, have had the same under consideration, and instruct me to report the bill back to the Senate and recommend the passage of the accompanying substitute.

HOBBS, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 259, entitled, "An Act to transfer suits and unfinished business, pending in Justices of Peace Courts, at the time of the adoption of the Constitution of 1875, for the State of Texas, to the Justices of Peace Courts of the precincts in which said suits should be tried," have had the same under consideration, and instruct me to report the bill back to the Senate and recommend that it do pass.

HOBBS, Chairman.

Senator Piner, Chairman Judiciary Committee No. 2, submitted the following reports:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 220, entitled, "An Act amendatory of, and supplementary to, 'An Act to adopt and establish a penal code for the State of Texas,'" ap-

proved August 26, 1856, have had the same under consideration, and beg leave to report it back, and recommend that it do not pass.

PINER, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 191, entitled, "An Act to provide for the archiving of certain criminal causes in the District Courts," have had the same under consideration, and beg leave to report it back with the following amendments, to-wit:

Amend by inserting between Sections 3 and 4 of the bill the following:

"Sec. 4. It shall further be the duty of the District or County Clerk, in all cases where bonds or recognizances have been forfeited in such cases, to enter upon his archive dockets the dates of such bonds or recognizances, with the amount of same, and the names of the securities thereto, and the action had thereon."

Also, amend by changing the number of Section 4 to Section 5, and as amended, recommend that the bill do pass.

PINER, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 234, entitled, "An Act to authorize the Judge of the Twelfth Judicial District to hold a special term of court in Brown county," have had the same under consideration, and beg leave to report it back, and recommend that it do pass.

PINER, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 263, "An Act to prescribe the time of holding District Courts in the Twelfth Judicial District," have had the same under consideration, and beg leave to report it back, and recommend that it do pass.

PINER, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 213, entitled, "An Act to provide for the safe keeping of county records," have had the same under consideration, and beg leave to report the same back, and recommend that it do not pass.

PINER, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 183, entitled, "An Act to prevent persons from enticing employes from their employer, or children from their parents or guardians," have had the same under consideration, and beg leave to report it back, and recommend that it do not pass.

PINER, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 136, entitled, "An Act to repeal an act supplemental to the act of January 28, 1840, concerning wills, and authorizing persons to dispose of their estates by will, and to restore and revive Sections 13 and 15 of the act of January, 28, 1848, entitled, 'An Act concerning wills,' " have

had the same under consideration, and beg leave to report it back, and recommend that it do not pass. PINER, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate Bill No. 23, entitled, "An Act to regulate the appointment and define the duties of Notaries Public," with the amendments thereto, adopted by the House of Representatives, have had the same under consideration, and respectfully report that your committee cannot recommend a concurrence by the Senate in House amendments Nos. 1, 8 and 9, but do recommend that the Senate concur in all the other amendments.

Your committee do not find amendment No. 1 objectionable, except that its adoption renders another slight amendment necessary in order to harmonize the two provisos in phraseology.

Amendments No. 8 and 9, by which Sections 13 and 15 are to be struck out, your committee believe, and respectfully suggest, would, in a great measure, injure, if not destroy the efficiency of the proposed act. Sections 13 and 15 provide for the manner in which citizens of the county where Notaries are appointed, and all others, may know when a Notary is appointed, and when he ceases to hold office; which points we deem of vast interest, and your committee would be unwilling to see them stricken out without some other method of giving such notice being adopted instead of that contained in said sections. We respectfully submit that these two sections are substantially the same as the old law governing the appointment and removal of Notaries Public [see act of April 30, 1846], and thirty years' experience has not demonstrated that these sections are unnecessary. Your committee think there should be some means of giving as great publicity as possible to the appointment of these important officers, and till some better means be devised for so doing, recommend that these sections be retained in this act.

Wherefore, your committee recommend that the Senate concur in House amendments Nos. 2, 3, 4, 5, 6, 7, 10 and 11, and do not concur in amendments Nos. 1, 8 and 9. PINER, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 2, to whom was referred a resolution instructing said committee to report, "whether or not the Legislature possesses the power, under the Constitution, to pass a special law incorporating an institution of learning," have had the same under consideration, and are unanimous in the opinion that the Legislature possesses no such power.

Section 56, Article 3, of the Constitution provides, "that the Legislature shall not, except as otherwise provided in said Constitution, pass any local or special law * * * where a general law can be made applicable." "Institutions of learning" are not excepted from this section and article of the Constitution. In the opinion of your committee, a general incorporation act can be passed which will be applicable to institutions of learning. These reasons controlled the committee in reaching their conclusion. PINER, Chairman.

Senator Storey, Chairman of the Committee on Finance, submitted the following reports:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Finance have had under consideration Senate Bill No. 218, entitled, "An Act for the relief of O. M. Jackson," and I am instructed by the committee to report the bill back to the Senate with the recommendation that the same do not pass.

STOREY, *Chairman.*

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Finance have had under consideration Senate Bill No. 143, "An Act to make an appropriation of forty thousand dollars to complete the Agricultural College," and I am instructed by the committee to return the bill with the recommendation that the same do pass.

STOREY, *Chairman.*

Senator Guy introduced a bill entitled: "An Act to amend Section 136 of an act entitled, 'An Act to regulate proceedings in the District Courts,'" approved May 13, 1846.

Read by caption, and referred to Judiciary Committee No. 2.

Senator Terrell introduced a bill entitled: "An Act to amend Section 2 of an act entitled, 'An Act to authorize and provide for a change of venue in civil cases,'" approved April 7, 1874.

Read by caption and referred to Judiciary Committee No. 2.

Senator Stephens introduced a bill entitled: "An Act in relation to vacancies in the office of Constable."

Read by caption and referred to Judiciary Committee No. 1.

Senator Storey introduced a bill entitled: "An Act for the relief of those, and the heirs of those, who participated in what is known as 'Dawson's Massacre, or Defeat.'"

Read by caption and referred to Committee on Private Land Claims.

Senator McLeary presented the memorial of the citizens of Kerr County, as expressed by a meeting of the citizens of said county at the town of Kerrville, on the 10th of June last, showing the dangers to which they will be exposed in case the rangers on the frontier are removed, and requesting that said forces be continued and passing resolutions requesting the adoption of such measures as will insure their continuance, etc.

Referred to the Committee on Indian Affairs and Frontier Protection.

On motion of Senator Francis, Senator Grace was excused for the day.

Senator Ledbetter moved a suspension of the rules to take up the resolution of the Judiciary Committee No. 1, "Authorizing them to send for persons and papers and take evidence relating to the subject matter set forth in the original of Richard T. Merrick and Thomas J. Durant.

Carried.

Resolution, with substitute of Senator Edwards, taken up and read. Senator Piner moved to indefinitely postpone the whole matter.

Lost, by the following vote:

YEAS—Senators Blassingame, Douglass, Guy, Henry J. R., Henry F. M., Martin, McCulloch, Moore, Piner, Stephens, Wortham—11.

NAYS—Senators Ball, Brown, Carroll, Francis, Ford, Hobby, Ledbetter, McLeary, Motley, Ripetoe, Storey, Terrell, Thompson—13.

NOT VOTING—Senators Brady, McCormick, Smith—3.

Senator Stephens moved to postpone the matter under consideration until the 15th of July next.

Lost, by the following vote:

YEAS—Senators Blassingame, Douglass, Francis, Guy, Henry J. R., McCulloch, Moore, Piner, Stephens, Wortham—10.

NAYS—Senators Ball, Brown, Carroll, Ford, Henry F. M., Hobby, Ledbetter, Martin, McLeary, Motley, Ripetoe, Storey, Terrell, Thompson—14.

NOT VOTING—Senators Brady, McCormick, Smith—3.

The pending question was the adoption of the substitute for the resolution of Judiciary Committee No. 1, to-wit:

"*Resolved*, That the consideration of the memorial of Merrick and Durant and message of the Governor be withdrawn from Judiciary Committee No. 1, and that the memorial be tabled."

Lost by the following vote:

YEAS—Senators Blassingame, Douglass, Guy, Henry J. R., McCulloch, Moore, Piner, Stephens, Terrell, Wortham—10.

NAYS—Senators Ball, Brown, Carroll, Francis, Ford, Henry F. M., Hobby, Ledbetter, Martin, McLeary, Motley, Ripetoe, Storey, Thompson—14.

NOT VOTING—Senators Brady, McCormick, Smith—3.

Senator Terrell asked to be excused from voting on this question.

The Senate refused to excuse.

The question now pending being the original resolution of the committee, it was adopted by the following vote:

YEAS—Senators Ball, Brady, Brown, Carroll, Francis, Ford, Guy, Henry F. M., Hobby, Ledbetter, Martin, McLeary, Motley, Ripetoe, Storey, Terrell, Thompson—17.

NAYS—Senators Blassingame, Douglass, Henry J. R., McCulloch, Moore, Piner, Stephens, Wortham—8.

NOT VOTING—Senators McCormick, Smith—2.

By leave, Senator Smith, Chairman of Committee on Agricultural Affairs, submitted the following reports:

Hon. Wells Thompson, President pro tem. of the Senate:

A majority of your Committee on Agricultural Affairs, to whom was re-committed Senate Bill No. 99, entitled, "An Act to amend the penal code of the State of Texas," approved August 26, 1856, have had the same under consideration, and instruct me to report the bill back to the Senate, and recommend its passage with the accompanying amendments as reported by Judiciary Committee No. 1.

MARTIN, Chairman.

Hon. Wells Thompson, President pro tem. of the Senate:

A majority of your Committee on Agricultural Affairs, to whom was referred substitute for Senate Bill No. 99, entitled, "An Act to amend an act to adopt and establish a penal code for the State of Texas," approved August 28, 1856, have had the same under consideration, and instruct me to report the bill back to the Senate, and recommend that it do not pass.

MARTIN, Chairman.

Senator Martin gave notice of a minority report on this bill.

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Agricultural Affairs, to whom was referred Sen-

ate Bill No. 138, entitled, "An Act to amend Section 3 of an act entitled, 'An Act concerning rents and advances,'" approved April 4, 1874, have had the same under consideration, and instruct me to report the bill back to the Senate, with the recommendation that it do not pass.

MARTIN, *Chairman.*

By leave, Senator Storey submitted the following report :

Hon. Wells Thompson, *President pro tem. of the Senate :*

Your Committee on Finance have had under consideration Senate Joint Resolution, "authorizing the Superintendent of Public Buildings and Grounds to purchase a flag for the Capitol, and I am instructed to return the bill back to the Senate, with the following amendments :

Amend Section 1, by adding, "and that said Superintendent be required to hoist said flag upon the Capitol whenever the Legislature is in session, and remove it when the Legislature is not in session."

Amend Section 2, by striking out of line 1, the words, "one hundred," and insert, "fifty," and that the resolution, as amended, do pass.

STOREY, *Chairman.*

Senator Brady, for Judiciary Committee No. 1, submitted the following report :

Hon. Wells Thompson, *President pro tem. of the Senate :*

The Judiciary Committee No. 1, to whom was referred the following resolution : "*Resolved*, That Judiciary Committee No. 1 is hereby requested to examine the Constitution and report its opinion as to whether or not the Legislature has the power to authorize the County Commissioners' Court to provide for the election of Justices of the Peace and Constables in new precincts, or where vacancies occur in precincts already existing, at any time prior to the next bi-ennial election," after careful examination of the Constitution, instruct me to report that it is the opinion of the committee that the Legislature has no power to authorize the County Commissioners' Court to order an election by the people to fill vacancies in the office of Justice of the Peace or Constable. But that the County Commissioners' Court is authorized by the Constitution, at any time, to create new Justices' Precincts, and that the Legislature has the right to provide by law that the County Commissioners' Court shall appoint the Justices of the Peace and Constables for precincts so created, as well as to fill any other vacancies that may occur in said offices at any time prior to the next general election.

BRADY, *for Committee.*

Senate Bills Nos. 3 and 70, taken up with an adverse report of the Committee on Judiciary No. 1, and report of committee adopted and bills lost.

House Bill No. 64½, "An Act to organize the Commissioners' Courts and define their jurisdiction and duties and provide for vacancies therein," was taken up with amendments by committee and read second time.

On motion of Senator Brady, the report of the committee was adopted, 100 copies ordered printed and made the special order for Tuesday next, and from day to day, until disposed of.

On motion of Senator Brady the rules were suspended, and Senate Bill No. 201, "An Act to authorize the corporation of the city of Houston to improve and protect the navigation of Buffalo Bayou," was taken up and read third time.

Senator Piner offered the following amendment to Section 1:

"*Provided*, That where private property is taken, damaged or injured by such improvements, compensation shall first be made to the owners of the property so taken, damaged or injured, before said improvements are made."

Adopted, and the bill then passed.

Senator Ford moved to lay on the table the motion of Senator Piner, made on Wednesday, to reconsider the vote by which the Senate had passed the resolution asking the favorable consideration of His Excellency, the Governor, of a petition to relieve Senator Burton from the payment of a sum on the bond of a defaulting witness.

Motion carried by the following vote:

YEAS—Senators Ball, Brady, Brown, Douglass, Ford, Henry J. R., Hobby, Martin, McCormick, McCulloch, Moore, Motley, Ripetoe, Storey—14.

NAYS—Senators Blassingame, Francis, Guy, Henry F.M., McLeary, Piner, Thompson—7.

NOT VOTING—Senators Smith, Terrell, Wortham—3.

Senate Bill No. 46, "An Act prescribing the qualifications of jurors," was taken up and read second time, together with the adverse report of the committee.

Report of committee adopted and bill lost.

Senate Bill No. 83, "An Act to regulate the keeping and bearing of arms," being substitute for Senate Bills Nos. 51 and 83, was taken up and made special order for Thursday next, at 11 o'clock A. M.

Senate Bill No. 50, "An Act to amend an act entitled, 'An Act to establish a penal code for the State of Texas,'" approved Aug. 28, 1856, was taken up and postponed for the present.

Senate Bill No. 53, "An Act to provide for the payment of State witnesses in felony cases," was taken up, and on motion of Senator Hobby, was postponed for the present.

House Bill No. 17, "An Act to provide for the pensioning of the surviving soldiers and volunteers of the army of Texas, in the war between Texas and Mexico, from the commencement of the Revolution, in 1835, to the first day of January, 1837, and the surviving signers of the Declaration of Texas Independence, and such of the surviving widows of such soldiers, volunteers and signers of the Declaration of Texas Independence as have remained unmarried, and to provide for the payment of the same," was taken up and read second time, together with the report of the Committee on State Affairs, recommending that it do not pass, and that Senate Bill No. 98 be substituted in its stead.

Report of committee adopted, and, on motion of Senator Martin, 100 copies ordered printed and the bill made special order for Friday next, at 11 o'clock A. M., and from day to day until disposed of.

The President *pro tempore*, after publicly reading its caption, signed Senate Bill No. 2, "An Act to organize the County Courts, and define their powers and jurisdiction."

Senate Bill No. 100, "An Act to provide for the punishment of certain offenses within the cities, towns and boroughs of this State," was taken up and read second time, together with the report of the Committee on Judiciary No. 2, recommending that it do not pass.

Report of committee adopted and bill lost.

House Bill No. 28, "An Act to amend 'An Act to re-apportion the

State of Texas into Congressional Districts," approved May 2, 1874, was taken up and read, together with the report of the Judiciary Committee No. 1, with amendments, and recommending that the bill do not pass.

The amendments of the committee were adopted.

The report of the committee was adopted and the bill lost.

House Bill No. 36, "An Act authorizing the appointment of Notaries Public," was taken up and read the second time, together with the report of Judiciary Committee No. 1, recommending that the bill do not pass.

The report of the committee was adopted and the bill lost.

House Bill No. 43, "An Act to permit the transfer of certain suits from one court to another," was taken up, read the second time, and passed to third reading.

On motion of Senator Hobby, Senate Bill No. 62, "An Act to provide for the public printing by contract," being the special order for this day, was postponed until to-morrow morning at 11 o'clock.

House Bill No. 97, "An Act to amend an act entitled 'An Act to prevent the herding of stock on certain lands therein named,'" was taken up and read the second time, and the amendment of the committee adopted.

Senator Storey moved to strike out the last section.

Adopted.

On motion of Senator Storey, the further consideration of the bill was postponed till to-morrow morning at 11 o'clock.

Senator Brady in the chair.

House Bill No. 99, "An Act to regulate the fees to be charged by the Commissioner of the General Land Office," was taken up and read a second time, together with the majority and minority reports.

Senator Terrell moved that the minority report be adopted.

Pending which, on motion of Senator Guy, fifty copies of the bill, with both reports, were ordered to be printed, and the bill made the special order for Wednesday next, at 11 o'clock A. M.

The President *pro tempore* in the chair.

A message was received from the House announcing the passage, by that body, of Senate substitute for Senate Bills Nos. 73, 74 and 86, "An Act to define the duties of County Attorneys, and regulate the performance of the same," with amendments by the House.

On motion of Senator Storey, Senate Bill No. 189, "An Act to regulate the duties of District Attorneys for the criminal districts of the counties of Galveston and Harris, and the County Attorney of Harris county," was taken up and recommitted to Judiciary Committee No. 1.

Senator McCormick, from Committee on Enrolled Bills, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared and found correctly enrolled Senate Bill No. 2, entitled: "An Act to organize the County Courts and define their powers and jurisdiction." The same has been properly signed, and presented to the Governor, this day, at 11:05 o'clock A. M., for his approval.

McCORMICK, *for Committee.*

House Bill No. 100, "An Act to prevent the removal of rock, slate,

coal or minerals from the premises of another, and prescribe a punishment therefor," was taken up and read second time.

Senator Storey offered the following amendment:

Insert the word, "earth," after the word, "rock," wherever it occurs in the caption or body of the bill.

Adopted.

Senator McLeary offered the following amendment:

After the word, "rock," insert the word, "sand," wherever it occurs in the bill and in the caption.

Adopted.

Senator Smith moved to strike out Section 3.

Adopted.

Senator McLeary moved to strike out the word, "the," in third line of Section 2.

Adopted.

The bill then passed to third reading,

House Bill No. 112, "An Act to amend Articles 540 and 541 of the code of criminal procedure of the State of Texas," was taken up and read second time, together with report of Judiciary Committee No. 1, recommending that the bill do not pass.

Report of committee adopted, and bill lost.

House Bill No. 120, "An Act to fix the amount of jury fees in the District, County and Justices' Courts," was taken up, read second time and passed to third reading.

Substitute for House Bills Nos. 121 and 122, "An Act to amend Section 41, and to repeal Section 42 of an act entitled, 'An Act to amend an act to establish a code of criminal procedure for the State of Texas,' approved August 26, 1856, approved February 15, 1858, and to repeal Section 960 of an act entitled, 'An Act supplementary to and amendatory of an act to establish a code of criminal procedure for the State of Texas,' " approved August 26, 1856, approved November 14, 1864, was taken up and read second time.

Pending the consideration of the bill, on motion of Senator Martin, the Senate adjourned till to-morrow morning at 9 o'clock.

FIFTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, June 17, 1876. }

Senate met pursuant to adjournment. President *pro tem.* in the chair.
Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

On motion of Senator McLeary, Senator Terrell was excused for the day.

On motion of Senator Piner, Senator Smith was granted a leave of absence for three days.

Senator Carroll introduced a bill, entitled: "An Act to authorize and require the State Board of Education to invest the proceeds of the sale of University lands, now in the State Treasury, in six per cent. State bonds."

Read by caption, and referred to the Committee on Finance.

Senator McCulloch offered the following resolution:

"Resolved, That no member shall voluntarily absent himself from